



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1914

by Rep. Wayne Rosenthal

SYNOPSIS AS INTRODUCED:

30 ILCS 105/5

from Ch. 127, par. 141

Amends the State Finance Act. Provides that no special fund shall be subject to sweeps, administrative charge-backs, or any other fiscal or budgetary maneuver that would in any way transfer any amounts from a special fund into any other fund of the State. Effective immediately.

LRB097 07307 PJG 47416 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Finance Act is amended by changing
5 Section 5 as follows:

6 (30 ILCS 105/5) (from Ch. 127, par. 141)

7 Sec. 5. Special funds.

8 (a) There are special funds in the State Treasury
9 designated as specified in the Sections which succeed this
10 Section 5 and precede Section 6.

11 (b) Except as provided in the Illinois Motor Vehicle Theft
12 Prevention Act, when any special fund in the State Treasury is
13 discontinued by an Act of the General Assembly, any balance
14 remaining therein on the effective date of such Act shall be
15 transferred to the General Revenue Fund, or to such other fund
16 as such Act shall provide. Warrants outstanding against such
17 discontinued fund at the time of the transfer of any such
18 balance therein shall be paid out of the fund to which the
19 transfer was made.

20 (c) When any special fund in the State Treasury has been
21 inactive for 18 months or longer, the fund is automatically
22 terminated by operation of law and the balance remaining in
23 such fund shall be transferred by the Comptroller to the

1 General Revenue Fund. When a special fund has been terminated
2 by operation of law as provided in this Section, the General
3 Assembly shall repeal or amend all Sections of the statutes
4 creating or otherwise referring to that fund.

5 The Comptroller shall be allowed the discretion to maintain
6 or dissolve any federal trust fund which has been inactive for
7 18 months or longer.

8 (d) (Blank).

9 (e) (Blank).

10 (f) Beginning on the effective date of this amendatory Act
11 of the 97th General Assembly, and notwithstanding any other law
12 to the contrary, no special fund in the State treasury shall be
13 subject to sweeps, administrative charge-backs, or any other
14 fiscal or budgetary maneuver that would in any way transfer any
15 amounts from a special fund into any other fund of the State.

16 (Source: P.A. 90-372, eff. 7-1-98.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.